

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

Midas Green Technologies, LLC,

Plaintiff,

- vs. -

Rhodium Enterprises, Inc.;
Rhodium Technologies LLC;
Rhodium 10mw LLC;
Rhodium 2.0 LLC;
Rhodium 30mw LLC;
Rhodium Encore LLC;
Rhodium Renewables LLC;
Rhodium Renewables Sub LLC;
Rhodium Ready Ventures LLC

Defendants.

Civil Action No. 6:22-cv-00050-ADA

Jury Trial Demanded

ORDER GRANTING MOTION TO AMEND SCHEDULING ORDER

Having considered the Parties' Joint Motion for Entry of Amended Scheduling Order, the Court finds that the motion should be GRANTED.

IT IS ORDERED that the case deadlines will be amended as follows:

SO ORDERED

| Event | Former Date | New Date |
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| Deadline for the first of two meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue. Unless the parties agree to the narrowing, they are ordered to contact the Court's law clerk to arrange a | 7/7/2023 | 9/5/2023 |

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| teleconference with the Court to resolve the disputed issues. | | |
| Close of fact discovery | 7/28/2023 | 9/26/2023 |
| Opening of expert reports | 8/11/2023 | 10/10/2023 |
| Rebuttal of expert reports | 9/8/2023 | 11/7/2023 |
| Close of expert discovery | 9/29/2023 | 11/28/2023 |
| Deadline for the second of two meet and confers to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. If it helps the parties determine these limits, the parties are encouraged to contact the Court's law clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer. | 9/29/2023 | 11/28/2023 |
| Last court day to file joint report regarding results of second meet and confer. | 10/6/2023 | 12/5/2023 |
| Dispositive motion deadline and Daubert motion deadline. See General Issues Note #7 regarding providing copies of the briefing to the Court and the technical advisor (if appointed). (Dkt. 54) | 10/5/2023 | 12/4/2023 |
| Last court day to file and serve response to dispositive motion and Daubert motions. ***Note: CV-7(d)(2) may set different deadline to file response. Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery and deposition designations). | 10/26/2023 | 12/26/2023 |
| Serve replies to dispositive motions and Daubert motions | 11/2/2023 | 1/2/2024 |
| Serve objections to pretrial disclosures/rebuttal disclosures | 11/8/2023 | 1/8/2024 |

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| Parties to jointly email the Court's law clerk (See OGP at 1) to confirm their pretrial conference and trial dates. File joint notice identifying remaining objections to pretrial disclosures and disputes on motions in limine. | 11/9/2023 | 1/8/2024 |
| Last court day to serve objections to rebuttal disclosures; file Motions in limine. | 11/15/2023 | 1/14/2024 |
| File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery and deposition designations); file oppositions to motions in limine. | 11/20/2023 | 1/19/2024 |
| File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and email the Court Reporter, Kristie Davis at kmdaviscsr@yahoo.com Deadline to meet and confer regarding remaining objections and disputes on motions in limine. | 11/20/2023 | 1/19/2024 |
| Last court day for parties to jointly email to Judge's law clerks text-editable chart listing each motion in limine. | 11/22/2023 | 1/22/2024 |
| Last court day for parties to jointly contact court's law clerk for a Box link to submit to chambers unredacted copies of all pending motions and their exhibits, and to jointly send to chambers paper copies of motions without exhibits. ***Note: Parties to also jointly send courtesy email providing Judge's law clerks with list of pending motions. | 11/22/2023 | 1/22/2024 |
| Last court day for party asserting invalidity or noninfringement to give | 12/8/2023 | 2/6/2024 |

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| notice to adverse party of information set forth in 35 USC 282. | | |
| File Joint notice identifying remaining objections to pretrial disclosures and disputes on motions in limine. | 12/8/2023 | 2/6/2024 |
| Re non-jury trial: Last court day to submit proposed final findings of fact and conclusions of law by email to Judge's law clerks. | 12/8/2023 | 2/6/2024 |
| Final Pretrial Conference. Held in person unless otherwise requested. | 12/13/2023 | 2/12/2024 |
| Reminder: Any party that intends to present evidence at trial that requires the use of technology is required to communicate this intention to court staff in advance of commencement of trial. | 12/19/2023 | 2/19/2024 |
| Reminder: Counsel are required to bring physical copies of any depositions that have been taken of any witnesses who will testify at trial. | 12/19/2023 | 2/19/2024 |
| Jury Selection/Trial Date | 1/16/2024 | 3/18/2024 |

Dated: _____

Alan D Albright
United States District Judge